

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

JEFF DUPONT HOLLAND

245 Peachtree Way
Atlanta, GA 30305

Registered Nurse License No. **580001**

Respondent

Case No. 2011-468

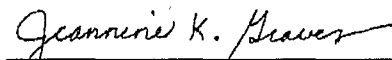
OAH No. 2010020785

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **July 11, 2011.**

- IT IS SO ORDERED **July 11, 2011.**



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 AMALA D. HARRIS
Attorney General of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2011-468

12 **JEFF DUPONT HOLLAND**
245 Peachtree Way
13 Atlanta, GA 30305

OAH No. 2010020785

14 Registered Nurse License No. 580001

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 Respondent.

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17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
21 Registered Nursing. She brought this action solely in her official capacity and is represented in
22 this matter by Kamala D. Harris, Attorney General of the State of California, by Arthur D.
23 Taggart, Supervising Deputy Attorney General.

24 2. Jeff Dupont Holland (Respondent) is representing himself in this proceeding and has
25 chosen not to exercise his right to be represented by counsel.

26 3. On or about April 18, 2001, the Board of Registered Nursing issued Registered Nurse
27 License No. 580001 to Jeff Dupont Holland (Respondent). The Registered Nurse License was in
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1 full force and effect at all times relevant to the charges brought in Accusation No. 2011-468; said
2 license expired on December 31, 2010, and has not been renewed.

3 JURISDICTION

4 4. Accusation No. 2011-468 was filed before the Board of Registered Nursing (Board),
5 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
6 and all other statutorily required documents were properly served on Respondent on
7 November 22, 2010. Respondent timely filed his Notice of Defense contesting the Accusation.
8 A copy of Accusation No. 2011-468 is attached as Exhibit A and incorporated by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations in
11 Accusation No. 2011-468. Respondent also has carefully read, and understands the effects of this
12 Stipulated Surrender of License and Order.

13 6. Respondent is fully aware of his legal rights in this matter, including the right to a
14 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
15 his own expense; the right to confront and cross-examine the witnesses against him; the right to
16 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
17 the attendance of witnesses and the production of documents; the right to reconsideration and
18 court review of an adverse decision; and all other rights accorded by the California
19 Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 2011-468, agrees that cause exists for discipline and hereby surrenders his Registered Nurse
25 License No. 580001 for the Board's formal acceptance.

26 9. Respondent understands that by signing this stipulation he enables the Board to issue
27 an order accepting the surrender of his Registered Nurse License without further process.

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CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 580001, issued to Respondent Jeff Dupont Holland, is surrendered and accepted by the Board of Registered Nursing.

14. Respondent shall lose all rights and privileges as a Registered Nurse in California as of the effective date of the Board's Decision and Order.

15. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued his wall certificate on or before the effective date of the Decision and Order.

16. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 2011-468 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

17. If and when Respondent's license is reinstated, he shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 1253 in the amount of \$342.50. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of the license.

18. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 4-6-11

JEFF DUPONT HOLLAND
Respondent

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Dated: April/1, 2011

KAMALA D. HARRIS
Attorney General of California
ALFREDO TERRAZAS
Senior Assistant Attorney General

ARTHUR D. TAGGART
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2011-468

1 EDMUND G. BROWN JR.
Attorney General of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 ARTHUR D. TAGGART
Supervising Deputy Attorney General
4 State Bar No. 083047
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5 P.O. Box 944255
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8 BEFORE THE
BOARD OF REGISTERED NURSING
9 DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2011-468

12 JEFF DUPONT HOLLAND
2703 Hargrove Drive
13 Ocean Springs, MS 39564

ACCUSATION

14 Registered Nurse License No. 580001

15 Respondent.

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17 Complainant alleges:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs.

22 Registered Nurse License

23 2. On or about April 18, 2001, the Board of Registered Nursing issued Registered Nurse
24 License Number 580001 to Jeff Dupont Holland ("Respondent"). The registered nurse license
25 was in full force and effect at all times relevant to the charges brought herein and will expire on
26 December 31, 2010, unless renewed.

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STATUTORY PROVISIONS

3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

COST RECOVERY

6. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Out-of-State Discipline)

7. Respondent has subjected his license to discipline pursuant to Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that effective October 15, 2009, pursuant to the Oregon State Board of Nursing's Final Order and Stipulation for Voluntary

1 Surrender of Registered Nurse License in Case No. 10-047, Respondent surrendered his Oregon
2 Registered Nurse License No. 200542591. Discipline was based on a complaint from
3 Respondent's employer alleging drug diversion and falsification of records regarding medications
4 charted by Respondent as given; however, patients denied receiving the medications.

5 SECOND CAUSE FOR DISCIPLINE

6 (Criminal Conviction)

7 8. Respondent has subjected his license to discipline pursuant to Code section 2761,
8 subdivision (f) in that on March 25, 2010, in the Superior Court, County of San Joaquin,
9 California in the matter entitled *People v. Jeffrey Dupont Holland* (2010), Case No. LM042324A,
10 Respondent was convicted by the court of a violation of Vehicle Code section 20002, subdivision
11 (a) (hit and run, property damage), and Vehicle Code section 16028, subdivision (a) (failure to
12 provide financial responsibility), both misdemeanors. The circumstances of the crime are that on
13 or about February 23, 2010, Respondent was arrested following a single vehicle accident caused
14 by Respondent. Respondent lost control of his vehicle and struck a sprinkler control box and
15 valve owned by the City of Lodi, causing damage. Respondent left the scene of the accident and
16 was arrested a short time later.

17 PRAYER

18 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
19 and that following the hearing, the Board of Registered Nursing issue a decision:

20 1. Revoking or suspending Registered Nurse License Number 580001, issued to Jeff
21 Dupont Holland;

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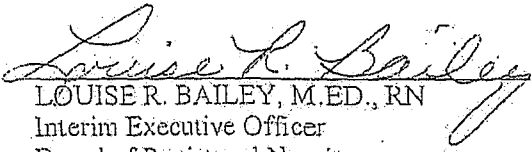
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1 2. Ordering Jeff Dupont Holland to pay the Board of Registered Nursing the reasonable
2 costs of the investigation and enforcement of this case, pursuant to Business and Professions
3 Code section 125.3; and,

4 3. Taking such other and further action as deemed necessary and proper.
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8 DATED: November 22, 2010


LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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